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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

IAN H COATES et al )

Serial Number: 07/741,570 )

Filed: August 7, 1991 )

For: LACTAM DERIVATIVES )

Group Art Unit: 1203

Examiner: Alan L Rotman

*(3) T.D. accepted  
Sella  
3/23/94*TERMINAL DISCLAIMER

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Your Petitioner, **Glaxo Group Limited** (henceforth referred to as "Assignee"), having a place of business at **Glaxo House, Berkeley Avenue, Greenford, Middlesex UB6 0NN, England**, represents that it is the owner by assignment of the entire right and title to the above-captioned patent application and the invention and improvements therein disclosed for the United States by virtue of an assignment from the inventors, dated **August 22, 1988** and recorded at **Reel 4993, Frames 723-725, on September 15, 1988.**

Assignee, who is also owner of the entire right and title to U.S. patent Number **5,183,820** by assignment recorded at **Reel 5773, Frames 178-180 on July 17, 1991**, hereby disclaims the terminal part of any patent granted on the above-captioned application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Number **5,183,820**, and hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Number **5,183,820**, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns. Notwithstanding the above disclaimer, Assignee does not waive any rights available under the provisions of 35 U.S.C. §§ 155 and 156.

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Assignee does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration date of the full statutory term as present shortened by any terminal disclaimer of U.S. Patent Number **5,183,820** in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a re-examination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above. Assignee does not disclaim any terminal part of any patent granted on the above-captioned application resulting from any extension of that patent granted under the provisions of 35 U.S.C. §§ 155, 155(a) and 156.

Documentary evidence which establishes a chain of title of the above-captioned U.S. patent application from the original owner to the Assignee has been reviewed by Assignee and Assignee certifies under 37 C.F.R. §3.73(b) that to the best of Assignee's knowledge and belief, title is in the assignee seeking to take the present action.

I, Alan Hesketh, am empowered to act on behalf of the Assignee, and I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-captioned application.

Signed at Greenford, Middlesex, England

this 24<sup>th</sup> day of February 1994.

GLAXO GROUP LIMITED  
by their Attorney



Alan Hesketh